

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ROBERT G. CATES, Administrator of the
Estate and Personal Representative of
Darwin Tache,

Plaintiff,

vs.

Civ. No. 01-534 M/WWD ACE

SHANNAN RUIZ, ARTURO RUIZ, CHILDHAVEN,
INC., THE UNITED STATES OF AMERICA,
MICHAEL CASTENELL,

Defendants;

and

CHILDHAVEN, INC., a New Mexico non-profit
corporation,

Third-Party Plaintiff,

vs.

NEW MEXICO CHILDREN, YOUTH, AND
FAMILIES DEPARTMENT,

Third-Party Defendant.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Plaintiff's Motion for Protective Order [docket no. 41] filed October 12, 2001. While the Defendant United States of America and the Defendant Childhaven, Inc., acknowledged the desirability of a protective order, they oppose the form of order submitted by Plaintiff for a variety of reasons. I am not persuaded that the broad and

unusually restrictive order submitted by the Plaintiff is necessary. Accordingly, I will direct the parties to confer and to see if an agreed form of proposed order can be agreed upon. If such an order is received on or before December 10, 2001, it will be entered. Otherwise, I will schedule a meeting between counsel in my conference room to work out an appropriate protective order. At this time, pending receipt of an appropriate protective order, the Motion for Protective Order will be denied with the understanding that it will be reconsidered upon presentation of an appropriate form of protective order.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE